

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT**

I, Task Force Officer James J. Connolly, being sworn, state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. I am a full-time Detective with the Town of Hudson, Massachusetts Police Department, and am currently assigned to the Federal Bureau of Investigation (“FBI”) and Boston Organized Crime Drug Enforcement Task Force (“OCDETF”) Strike Force in Waltham, Massachusetts. I have been a Hudson Police Officer since 2010 and have been assigned to the Detective Division since 2012. Since November 2020, I have been assigned as a Task Force Officer (“TFO”), defined as a sworn Special Federal Officer, with the FBI, and a sworn Special Deputy United States Marshal with the United States Marshals Service.

2. My primary duties as an FBI TFO include the investigation of organized narcotics traffickers, narcotics distribution and money laundering offenses, and other federal and state crimes. I have testified in district and superior state and trial courts. I have participated in the execution of over 50 state and federal search and arrest warrants for narcotics offenses. During my career in law enforcement, I have received training and gained experience related to a variety of criminal activities. In the course of my training and experience, I have become familiar with the methods and techniques associated with the distribution of narcotics, the laundering of drug proceeds, and the organization of drug trafficking conspiracies. In the course of conducting criminal investigations, I have employed the following investigative techniques: interviewing informants and cooperating witnesses; conducting physical surveillance; conducting short-term

and long-term narcotics investigations; consensual monitoring and recording of both telephonic and non-telephonic communications; analyzing telephone pen register and toll record data; conducting court-authorized electronic surveillance; and preparing and executing search warrants that resulted in substantial seizures of narcotics, firearms, and other contraband.

Purpose of the Affidavit

3. I make this affidavit in support of an application for a criminal complaint charging Alejandro FRANCO DIAZ, a/k/a “El Dorado” (“FRANCO DIAZ”) with three counts of distribution and possession with intent to distribute a controlled substance, that is 50 or more grams of methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(viii) (the “Charged Offenses”).

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses, among other things. This affidavit is intended to show that there is probable cause to believe that FRANCO DIAZ committed the Charged Offenses and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

Background of the Investigation

5. In or around May 2023, law enforcement initiated an investigation into FRANCO DIAZ. A Confidential Human Source (“CHS”)¹ reported that FRANCO DIAZ was selling pound quantities of methamphetamine and kilogram quantities of cocaine in the Worcester,

¹ I am aware of the CHS’s identity but am not disclosing it publicly in order to protect the CHS from retaliation by FRANCO DIAZ or others working with him. The CHS has a criminal history that includes convictions for drug distribution. The CHS also lived in the United States for several years under an assumed identity and was arrested for identity theft in 2019. The charge was later dismissed. The CHS has provided assistance to the FBI on several investigations since 2018, and the CHS has proven to be reliable. The CHS is cooperating in exchange for monetary and immigration benefits. The CHS is willing to testify.

Massachusetts area. The CHS communicated with FRANCO DIAZ using a phone number ending in 6222 (the “6222 Phone”).

6. Ultimately, the CHS conducted multiple controlled purchases of methamphetamine from FRANCO DIAZ beginning in July 2023 and continuing through November 2023. These controlled purchases included the following: a July 2023 in-person controlled purchase for 669.7 grams of lab-confirmed methamphetamine, an August 2023 in-person controlled purchase for 409.1 grams of lab-confirmed methamphetamine, a September 2023 in-person controlled purchase for 729 grams of lab-confirmed methamphetamine, another September 2023 controlled purchase where FRANCO DIAZ mailed, or caused to be mailed, 430.6 grams of a mixture and substance containing methamphetamine to the CHS,² an October 2023 controlled purchase where FRANCO DIAZ mailed or caused to be mailed, 446.1 grams of lab-confirmed methamphetamine to the CHS, and a November 2023 controlled purchase where FRANCO DIAZ mailed, or caused to be mailed, 2245.4 grams of lab-confirmed methamphetamine to the CHS. The total weight of methamphetamine from these purchases was approximately 4,499.3 grams of methamphetamine, with an additional 430.6 grams of a mixture and substance containing methamphetamine from the second September 2023 purchase. Three of these purchases are detailed below and charged herein.

² This controlled purchase was the only controlled purchase where the lab confirmed that the purity of the methamphetamine was below 98%. The narcotics received in connection with this controlled purchase had a purity of 65% and also contained dimethyl sulfone, which, according to open-source research, is an organosulfur compound.

Controlled Purchases

A. July 5, 2023: controlled purchase of approximately 1.5 pounds (758.9 grams) of methamphetamine from FRANCO DIAZ (Count 1)

7. On July 3, 2023, at the direction of law enforcement, the CHS communicated with FRANCO DIAZ, who was using the 6222 Phone, in order to set up a controlled purchase of 1.5 pounds of methamphetamine. Ultimately, FRANCO DIAZ and the CHS agreed to meet on July 5, 2023, to conduct the controlled purchase.

8. Prior to the meeting, law enforcement met with the CHS at a predetermined location. The CHS's person and vehicle were searched for contraband and excess cash with negative results. The CHS was provided with \$6,000 in government funds to purchase 1.5 pounds of methamphetamine from FRANCO DIAZ. The CHS was outfitted with two audio/video recording devices, one of which investigators viewed in real time.³ The CHS then placed a recorded call to FRANCO DIAZ who was using the 6222 Phone. FRANCO DIAZ stated that he wanted to meet the CHS at a restaurant instead of FRANCO DIAZ's house.

9. FRANCO DIAZ then sent the CHS a text message, which read: "537 Lincoln Street, Worcester, MA 01065." In a prior discussion, the CHS and FRANCO DIAZ agreed on a price of \$4,000 per pound of methamphetamine. FRANCO DIAZ told the CHS that the address that he texted was the address of Toritos, a Mexican restaurant in Worcester, Massachusetts, and that they could meet in the parking lot. Investigators then surveilled the CHS as he drove to the meeting location and parked in the parking lot outside the restaurant. Investigators established surveillance in the area of FRANCO DIAZ's residence, located on Grafton Street, in Worcester,

³ The secondary device that was intended to record audio and video was not working properly and no content was retrieved from this device. The device recording in real time audio and video properly recorded the entirety of the controlled purchase.

Massachusetts, and Toritos. At approximately 6:51 p.m., investigators observed FRANCO DIAZ exit his residence and enter the passenger seat of a Honda CRV. FRANCO DIAZ was carrying a satchel style bag. Investigators maintained surveillance of FRANCO DIAZ and observed the Honda CRV pull into the vicinity of Toritos. FRANCO DIAZ entered the restaurant without the satchel. A short time later, FRANCO DIAZ exited Toritos and walked to the CRV, which was parked in the lot, and accessed the vehicle. FRANCO DIAZ, who was now in possession of the satchel, walked toward the CHS's vehicle and entered the passenger side of the car. Approximately four minutes later, FRANCO DIAZ exited the CHS's vehicle and walked away. A short time later, FRANCO DIAZ re-entered the passenger side of the Honda CRV and left the area.

10. Shortly thereafter, law enforcement met with the CHS at a predetermined location and retrieved the recording equipment and methamphetamine the CHS received from FRANCO DIAZ. Law enforcement maintained surveillance on the CHS's vehicle to and from the meet location. The CHS's person and vehicle were searched for contraband and excess cash with negative results. The CHS informed law enforcement that FRANCO DIAZ provided the CHS with a T-Mobile bag containing a clear gallon bag with two sandwich bags inside. The sandwich bags contained a crystal-like substance, which field-tested positive for methamphetamine with a weight of 758.9 grams. The suspected methamphetamine was sent to the Drug Enforcement Administration ("DEA") laboratory, which confirmed that it was 669.7 grams of methamphetamine.

11. During the debrief, the CHS reported that FRANCO DIAZ would also sell cocaine to the CHS for \$28,000 per kilogram. A review of the audio/video recording device clearly showed the meeting between FRANCO DIAZ and the CHS in the CHS's vehicle.

12. After the deal, and at the direction of law enforcement, the CHS contacted FRANCO DIAZ to complain about the quality of the methamphetamine and the crystals not being intact. On July 7, 2023, FRANCO DIAZ, using the 6222 Phone, sent the CHS a voice memo over traditional text and stated that he was going to speak with his suppliers to make sure that did not happen again.

B. August 29, 2023 controlled purchase of approximately 1 pound (409.1) of methamphetamine from FRANCO DIAZ (Count 2)

13. During the month of August 2023, the CHS and FRANCO DIAZ communicated about setting up a three-pound methamphetamine deal.

14. On August 3, 2023, the CHS contacted FRANCO DIAZ who was using the 6222 Phone, and FRANCO DIAZ stated he had “one” and was waiting on “two” more. Based on my training and experience and involvement in this investigation, I believe “one” and “two” were references to one and two pounds of methamphetamine. During this conversation, the CHS asked FRANCO DIAZ about prices and FRANCO DIAZ said they were the same. The CHS also asked about the “other thing” (referring to purchasing a kilogram of cocaine), and FRANCO DIAZ stated that it was around “28.” The CHS stated they understood that FRANCO DIAZ was referring to the price of methamphetamine for \$4,000 per pound, which was the same as the previous deal, and the price per kilogram of cocaine was \$28,000, as previously discussed.

15. On August 10, 2023, the CHS reported that during a conversation with FRANCO DIAZ, the CHS learned that FRANCO DIAZ had one pound of methamphetamine available to sell to the CHS and was still waiting on delivery for the other two pounds. During subsequent conversations with FRANCO DIAZ, the CHS learned that, according to FRANCO DIAZ, the delay was because one of the methamphetamine shipments in California was compromised.

16. On August 29, 2023, FRANCO DIAZ, using the 6222 Phone, contacted the CHS and informed the CHS that he (FRANCO DIAZ) brought the one pound to work with him and the CHS could come and pick it up. FRANCO DIAZ then sent the CHS his location, which was in the area of Centre Street, in Newton, Massachusetts.

17. On August 29, 2023, law enforcement met with the CHS at a predetermined location. The CHS's person and vehicle were searched for contraband and excess cash with negative results. The CHS was provided with \$4,000 in government funds to purchase one pound of methamphetamine from FRANCO DIAZ. The CHS was outfitted with two audio/video recording devices, one of which investigators were able to view in real time.

18. The CHS then placed a call to FRANCO DIAZ who was using the 6222 Phone and informed FRANCO DIAZ that the CHS was on the way. The CHS then drove to the meeting location. Surveillance units in the area of Centre Street in Newton observed FRANCO DIAZ working construction in the area. Law enforcement observed FRANCO DIAZ enter the CHS's vehicle with a small brown bag. A short time later, FRANCO DIAZ exited the CHS's vehicle without the bag and returned to work.

19. Shortly thereafter, law enforcement met with the CHS at a predetermined location and retrieved the recording equipment and methamphetamine the CHS received from FRANCO DIAZ. Law enforcement maintained surveillance on the CHS's vehicle to and from the meet location. The CHS's person and vehicle were searched for contraband and excess cash with negative results. The CHS informed law enforcement that FRANCO DIAZ provided the CHS with a small brown leather bag. The methamphetamine was located inside a clear plastic bag inside the brown bag. A review of the audio/video recording device clearly showed FRANCO DIAZ in the CHS's vehicle providing the CHS with the leather bag containing the narcotics.

20. The methamphetamine was sent to the DEA laboratory, which confirmed that it was 409.1 grams of methamphetamine.

C. September 14, 2023 controlled purchase of approximately 2 pounds (729 grams) of methamphetamine from FRANCO DIAZ (Count 3)

21. During the August 29, 2023 deal, outlined above, FRANCO DIAZ sold the CHS one of three pounds that the CHS and FRANCO DIAZ had previously discussed. During the month of September, the CHS and FRANCO DIAZ communicated regularly about setting up a meeting for FRANCO DIAZ to sell the remaining two pounds to the CHS.

22. On September 11 and September 12, 2023, the CHS and FRANCO DIAZ, who was using the 6222 Phone, communicated over WhatsApp. During the conversations, the CHS and FRANCO DIAZ agreed to meet on September 14 to complete the two-pound deal. Additionally, at the direction of law enforcement, the CHS provided FRANCO DIAZ with the address of a government-controlled post office box. During the conversation on September 12, 2023, FRANCO DIAZ discussed sending two additional pounds of methamphetamine to the CHS at the government-controlled box.⁴

23. On September 14, 2023, the CHS and FRANCO DIAZ communicated over WhatsApp to discuss a location to meet. Prior to the meeting, law enforcement met with the CHS at a predetermined location. The CHS's person and vehicle were searched for contraband and excess cash with negative results. The CHS was provided with \$8,000 in government funds to purchase two pounds of methamphetamine from FRANCO DIAZ. The CHS was outfitted with two audio/video recording devices, one of which investigators viewed in real time. Investigators

⁴ As summarized above, in late September 2023, October 2023, and November 2023, methamphetamine was mailed to this government-controlled box by, or on behalf of, FRANCO DIAZ for the CHS.

established surveillance in the agreed-on meet location in Oxford, Massachusetts. The CHS was surveilled from the meeting location to the area in Oxford, Massachusetts, where the CHS met with FRANCO DIAZ. Law enforcement observed FRANCO DIAZ approach the CHS's vehicle with a bag in his hand, which law enforcement subsequently collected following the buy. After meeting with FRANCO DIAZ, CHS departed the area in the CHS's vehicle.

24. Law enforcement met with the CHS at a predetermined location and retrieved the recording equipment and methamphetamine the CHS received from FRANCO DIAZ. Law enforcement maintained surveillance on the CHS's vehicle to and from the meet location. The CHS's person and vehicle were searched for contraband and excess cash with negative results. The bag provided by FRANCO DIAZ contained a crystal-like substance, which was subsequently provided to the DEA laboratory, which confirmed that it contained 729 grams of methamphetamine.

25. A review of the audio/recording device showed that FRANCO DIAZ stayed outside of the CHS's vehicle and provided the bag containing the narcotics through the passenger side window. While FRANCO DIAZ is not visible on the video, FRANCO DIAZ's voice is clearly heard and the bag collected from the CHS following the meeting, is clearly visible. FRANCO DIAZ also retrieved the empty small brown leather bag from the CHS's vehicle that he (FRANCO DIAZ) gave to the CHS during the prior purchase.

CONCLUSION

26. Based on the foregoing, there is probable cause to believe that on or about July 5, August 29, and September 14, 2023, FRANCO DIAZ, did distribute and possess with intent to distribute controlled substances, that is 50 grams or more of methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(viii).

Respectfully Submitted,

James Connolly /
JAMES CONNOLLY
Task Force Officer *AKS*
Federal Bureau of Investigation

Sworn to and sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 on
March 5, 2025.

6:37 p.m.

David J. Hennessy /
HONORABLE DAVID J. HENNESSY
United States Magistrate Judge
